

THE HONORABLE JAMES L. ROBART

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MICROSOFT CORPORATION,  
Plaintiff,  
vs.  
MOTOROLA, INC., et al.,  
Defendants.

Case No. C10-1823-JLR

DECLARATION OF CHRISTOPHER  
WION IN SUPPORT OF  
MICROSOFT'S AUGUST 29, 2013  
BENCH MEMORANDUM

MOTOROLA MOBILITY LLC, et al.,  
Plaintiffs,  
vs.  
MICROSOFT CORPORATION,  
Defendants.

I, Christopher Wion, hereby declare as follows:

1. I am an attorney at the law firm of Calfo Harrigan Leyh & Eakes LLP, one of the law firms representing Microsoft Corporation ("Microsoft") in the above-captioned matter, and have personal knowledge of the facts stated herein.
2. Attached hereto as Exhibit 1 is a true and correct copy of trial exhibit 1035, a document filed in the United States International Trade Commission matter Inv. No. 337-TA-752 on June

1 6, 2012, and is titled Third Party United States Federal Trade Commission's Statement on the  
2 Public Interest. This document was also produced in this matter under Bates numbers MS-  
3 MOTO\_1823\_00004081164 – 69.

4 3. Attached hereto as Exhibit 3 is a true and correct copy of trial exhibit 6009, the  
5 January 3, 2013 Statement of the Federal Trade Commission *In the Matter of Google Inc.* FTC  
6 File No. 121-0120. This document was also produced in this matter under Bates numbers MS-  
7 MOTO\_1823\_00005257636 – 40.

8 4. Attached hereto as Exhibit 4 is a true and correct copy of trial exhibit 6075, a  
9 press release by the European Commission dated May 6, 2013. The press release is titled,  
10 Antitrust: Commission sends Statement of Objections to Motorola Mobility on potential  
11 misuse of mobile phone standard-essential patents. This document was also produced in this  
12 matter under Bates numbers MS-MOTO\_1823\_00005258267 – 68.

13 5. Attached hereto as Exhibit 5 is a true and correct copy of trial exhibit 6076, a  
14 memo from the European Commission dated May 6, 2013. The memo is titled, Antitrust:  
15 Commission sends Statement of Objections to Motorola Mobility on potential misuse of  
16 mobile phone standard-essential patents – Questions and Answers. This document was also  
17 produced in this matter under Bates numbers MS-MOTO\_1823\_00005258272 – 74.

18 6. Attached hereto as Exhibit 6 is a true and correct copy of trial exhibit 6090, a  
19 January 3, 2013 Decision and Order in the matter of Motorola Mobility LLC before the United  
20 States Federal Trade Commission. This document was also produced in this matter under  
21 Bates numbers MOTM\_WASH1823\_0620222 – 250.

22 7. Attached hereto as Exhibit 7 is a true and correct copy of trial exhibit 6091, an  
23 Analysis of Proposed Consent Order to Aid Public Comment in the Matter of Motorola  
24 Mobility and Google Inc. File No. 121-0120 before the United States Federal Trade  
25

1 Commission. This document was also produced in this matter under Bates numbers  
2 MOTM\_WASH1823\_0620214 – 21.

3 8. Attached hereto as Exhibit 8 is a true and correct copy of trial exhibit 6829,  
4 Motorola Mobility's Motion to Terminate This Investigation In Part With Respect to U.S.  
5 Patent Nos. 6,980,596 and 7,162,094, January 8, 2013, Inv. No. 337-TA-752.

6 9. I declare under penalty of perjury under the laws of the United States of  
7 America that the foregoing is true and correct.

8 DATED this 29<sup>th</sup> day of August, 2013 in Seattle, Washington.

9  
10 s/ Christopher Wion  
CHRISTOPHER WION

**CERTIFICATE OF SERVICE**

I, Nathaniel Love, swear under penalty of perjury under the laws of the State of Washington to the following:

1. I am over the age of 21 and not a party to this action.
2. On the 29th day of August, 2013, I caused the preceding document to be served on counsel of record in the following manner:

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DATED this 29th day of August, 2013.

/s/ Nathaniel Love

NATHANIEL LOVE